

## **MINUTES OF THE WOODSIDE TOWN MEETING**

**MARCH 13, 2018**

The meeting was called to order at 7 p.m. by Mayor Mike Warren. He welcomed all 31 attendees. A written agenda was followed. Attendees were asked to sign in and provide either a mailing address or email address so the secretary could make sure she could send them important information when necessary.

Mike Warren introduced David Edgell, a State Planner who has been working with the town council and planning committee on the comprehensive land use plan. David provided an updated map on the future land use and annexation plan for review. He explained that there are 57 towns in the 3 state counties and all are required to complete a CLP and Woodside was the last one. He stated that the CLP is a legal framework and guideline for future land use and zoning, and that Woodside has been working on this since January 2017. Mike stated that there are properties that do wish to be annexed into Woodside – all of them are already partially in and we have worked closely with the town of Camden to make sure we are not overlapping our future plans with theirs. A meeting was held with Camden town officials and Mike Warren and Brenda Richards, and Camden stated that they will not contest our plans to annex split property parcels in Woodside. We are waiting on a letter from them to confirm this agreement and have it in our CLP. Paul Davis asked if the annexation process would involve just the town council or be open to the public. Mike explained that with the updated charter, the annexation process would involve a special election and property owners, not just residents. It was explained that any property to be annexed would have to be contiguous with the town boundary. David Edgell answered questions presented by the attendees to assure that everyone understood the process for the comprehensive land use plan. Mary Ann Bryant, former Mayor, said a comprehensive land use plan was completed when she was in office. Mike informed her that no state agency had a copy of it as we checked with Levy Court and the Delaware State Archives. Brenda stated that she actually found the copies of the old land use plan dated 1984 upstairs in the town hall and there was no notation that it was ever approved by the State. David Edgell provided Brenda Richards with the application for the PLUS process, which is used when the CLP is submitted to the state planning committee and other state agencies for review. Brenda is hoping that will be done by the end of May 2018. David was thanked for taking the time to attend our meeting and for his presentation.

The town charter is in the process of being updated and is in the hands of the town solicitor. The council found that there was no information on annexation, realty transfer tax fees, or updated election information in it. Mike explained that we have also requested that the mayor's term be expanded to 2 years instead of one and that the council members' terms would be split so that some would expire on even years and the others on odd years. The town Charter needs to be completed and submitted to the General Assembly for review by mid-April as the General Assembly needs to approve it by the end of June; otherwise, we will have to wait till the General Assembly was back in session next January.

Next on the agenda was discussion of a Variance Request from Michelle Brown and Tom Heiges, who have bought the property at 1858 Upper King Road and have been granted a conditional use permit for a dog grooming business. They are requesting a variance for a five foot setback from Paul Davis' property. Paul and Justine Davis have approved the variance request, but the town lawyer advised that we present this request at a public forum for consideration. Mike Warren stated that many of our properties in town do not have much footage between homes and in the future there will be a case by case review for variances. The couple answered questions from the audience, stating that their business would be open Tuesday through Friday from 7 to 4:30 pm and that they usually do 10-15 dogs per day with just the two of them, with the

appointments staggered, so traffic will not be an issue. The plan has already passed the fire marshal's inspection. The variance request was put up to vote and there were no opposing votes. A letter of the variance approval was given to Michelle Brown and Tom Heiges. Mike Warren did advise them that the town is considering their business as a "cottage industry" and advised them not to be zoned commercial, as it will affect their home owners insurance and taxes from Kent County.

There will be no town election this year as there were no applications for Mayor or Secretary, the two offices open this year. Mike Warren will continue as Mayor and Brenda Richards will stay on as Secretary for another term.

Mike shared the information from a meeting with a Comcast representative about a Cable Franchise Agreement. The last contract was signed in 1989 and it basically gives Comcast rights to run their lines through the town. Comcast uses the poles from Delmarva Power. It is a formality, but they carry liability insurance in case there is damage caused by their equipment. It is a non-exclusive agreement, so other companies are allowed to also come into the town. He explained that the town could benefit from a fee that would range from 1% to 5% on the cable portion of the bill, but stated that Comcast charges this fee to the town residents and then passes it on to the town. Comcast stated that for a town our size that Woodside would possibly receive \$500 to \$700 from this fee. Many people commented that they had dropped Comcast due to its high prices already. The council felt this fee was not good for our residents, but wanted it open for a vote from the attendees. A vote was taken on whether to have the fee and it was unanimous that the town would not apply for the fee.

The pastor from the Community Christian Worship Center did not come tonight. Mike explained that Reverend Woods had wanted to present their plans to expand the church. Mike explained that the church is planning to expand the space of the sanctuary and a permit has been given to do so, with the understanding that there would be no living quarters at the church. The property is zoned BG now.

Paul Davis, who has been on the Kent County Planning Commission for 15 years cautioned the council to be careful when designating a property as BG as there are 126 types of businesses that are approved to use areas zoned BG. Careful consideration needs to be used when giving approval as the council may have problems restricting what types of businesses come in to town under the BG category, if they are on the approved list.

Many complaints have been received about the aluminum cans on Mr. Shahan's property. Mike stated he has personally stopped by to talk to Mr. Shahan, who said he would take care of it. A letter was sent to follow up the conversation, giving him 60 days to abide the request to clean up, but as of now, no improvement has been noted.

There were comments that Mr. Shahan's property was not the only problem area in town. Brenda asked if there was interest in having a town clean-up that might help with some of these issues. There was agreement that it might help, so she will check with DSWA and other agencies for information to plan a town clean-up.

Dawn Valladares has offered to organize a town wide yard sale. It was explained that the town does not benefit financially, but gives people an opportunity to sell their items on their own property, but the town would advertise the yard sales. Dawn asked if anyone was interested, to contact her about good dates.

Mike stated that the Sidewalk Project is slowly progressing. We have received \$10,000 aid from the state legislators for the project, which may cost \$30,000 to \$35,000 to complete. He explained that the initial plan was to have it run along one side of Main Street, which would create some cohesiveness to the town and add safety in walking. The plan was to have the sidewalks extend out into the road, so it would not affect

people's property. Paul Davis asked who would be responsible for the sidewalks if they are extended out into the road, which is owned by the state of Delaware? Mike stated that the project will be done by the State of Delaware, not the town, and that it was planned to coincide with the paving of our streets. There was much discussion on why taxes would be going up, if people on Upper King Road would not benefit from the sidewalks? Mike explained that the sidewalks are not a done deal and still in the early planning stages, so it would be discussed more in the future.

Brandon Seward on Fleming Street asked if we could get a new NO Parking sign for Fleming Street, as the one there was so faded that it could not even be read. Brenda Richards stated she would work on that immediately.

A new resident asked if we could work on the hours of the Post Office – Mike explained that the town has nothing to do with the post office hours. It was the decision of the postal service and even after we had a town meeting with the postal officials to discuss what the residents would like, they still opted to have it open only in the afternoon hours, which is the same as the town of Viola. Mike stated that our post office only makes money from stamps sold, and it does take part in "the last mile program", where UPS and Fed-Ex can drop off packages at the post office instead of leaving them at the homes.

A couple of residents complained about two large dogs that are wandering the streets and asked what can be done. One is an aggressive Rottweiler and the other is a black lab. Justine Davis said they approached her in the church parking lot and she was too afraid to get out of the car, but she knows who owns them. Animal Control was contacted by another resident and she was advised to shoot them if they were on her property. Animal control said they could not do anything unless they knew who owned the dogs. Jim Carpenter suggested taking a picture of the dogs when they were on someone's property as proof. Justine Davis was willing to provide the name of the dogs' owner, so Animal Control could be notified. These residents agreed they would follow up on it.

Speeding cars and trucks are a major concern on Upper King Road. Residents state the 40 mph zone should be lower as it is a residential area. They voiced that the state police radar that we had last summer did not affect them at all, as the DSP seemed to concentrate on Main Street. Mike stated the town spent almost \$2000 for the police radar and approximately \$400 was collected from tickets issued. Mike reassured the residents that we would pursue having police presence concentrate on Upper King Road.

Another resident questioned about the plans for the Natural Gas Line – information is being received by local property owners about the pipe line, but as far as anyone knows, we are not going to be able to access the service. Mike stated it is like the water and sewer services that have been promised to the town for years – we are still waiting on it.

Brian Everett, who lives at 1303 Main Street, is considering buying the property from his uncle and wants to put a modular home on part of the property. Brenda Richards advised him that according to the current town ordinances that he can have only one home on that property. He will get back to the council about his future plans so decisions can be made, as he will consider tearing down the old house if it does not have any historical significance.

There being no further discussion, the meeting was adjourned at 8:55 p.m.

Minutes by: Brenda Richards, Secretary